

JAN 28 2005

TODD HATHAWAY, ATTORNEY AT LAW, P.S.

**FACSIMILE TRANSMITTAL SHEET**

TO:	FROM:
EXAMINER YVONNE HORTON	Heather Olson, Legal Assistant
COMPANY:	DATE:
USPTO	28 January 2005
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
703-872-9306	3
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
703-308-1909	P3223 (Alumet - Wally Peterson, Inventor)
RE:	YOUR REFERENCE NUMBER:
Application S.N. 10/683,804	Office Action Summary dated 11/23/2004

Dear Examiner Horton:

Attached is a copy of the Office Action Summary issued on 11/23/2004. Box 10 is checked, however, it is not clear whether or not the drawings filed on 10 October 2003 are accepted.

Please transmit your response regarding the acceptance of those drawings to me as soon as possible (telephone number: 360-647-1976; fax number: 360-647-4530; e-mail address: heather@hathlaw.com).

Thank you for your assistance.

Sincerely,

Heather M. Olson  
Legal Assistant to Todd N. Hathaway

**Privileged and Confidential**

**Attorney Work Product/Attorney-Client Communication**

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BELLINGHAM, WA 98225-4437  
PHONE: 360/647-1976 FAX: 360/647-4530  
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**Office Action Summary****Application No.**

10/683,804

**Applicant(s)**PETERSON, WALLACE H. *SH***Examiner**

Yvonne M. Horton

**Art Unit**

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 October 2003.  
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-11 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☒ The drawing(s) filed on 10 October 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All b) ☐ Some \* c) ☐ None of:  
 1. ☐ Certified copies of the priority documents have been received.  
 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 2/23/04  
 4) ☐ Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_  
 5) ☐ Notice of Informal Patent Application (PTO-152)  
 6) ☐ Other: \_\_\_\_\_

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 JAN 28 2005

Jan-28-05 09:48A

From: BUSINESS EXTENSION SERVICE To: 2481 - MR HATHAWAY'S OFC-THIS Page: 1

P.03

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Id: 2481 ( ) 9:01a Th Jan-27 Page: 1

In: 4:33a Th Jan-27 '05 JN 194  
Out: 9:01a Th Jan-27 '05 act r/p 1:13  
For : OFFICE  
From: EXAMINER HORTON  
Co :  
Tel#: (703)308-1909  
Msg : CALLING FROM PATENT OFFICE,  
REGARDS TO 10683804, A SUPPLEMENTAL  
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(End of Transmission =====

1-27-05 - LM for Ex. H. -- are drawings  
accepted or objected to? Y or N?